

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
MOJO NICHOLS, et al.,	:	
	:	
Plaintiffs,	:	
	:	20 Civ. 3677 (LGS)
-against-	:	
	:	<u>ORDER</u>
NOOM INC., et al.,	:	
	:	
Defendants.	:	
-----X		

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on April 21, 2021, Defendants filed a letter requesting that the Court approve redactions of confidential information contained in Exhibit A of Plaintiffs' filing at Dkt. No. 303 ("Exhibit A"). *See* Dkt. Nos. 304, 315.

WHEREAS, although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). One competing consideration is an interest in protecting confidential business information. *See Standard Inv. Chartered, Inc. v. Financial Indus. Regul. Auth., Ind.*, 347 F. App'x 615, 517 (2d Cir. 2009) (summary order); *accord Royal Park Invs. SA/NV v. Wells Fargo Bank, N.A.*, No. 14 Civ. 9764, 2018 WL 739580, at *18 (S.D.N.Y. Jan. 10, 2018). It is hereby

ORDERED that, Defendants' application to approve redactions is **GRANTED**. The unredacted version of Exhibit A at Dkt. No. 305 will remain sealed, and only the parties and

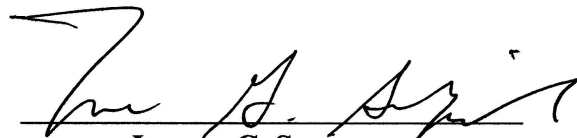
individuals identified in the attached Appendix A of the letter at Dkt. No. 304 will have access.

Filing the above-referenced documents in redacted form is necessary to prevent the unauthorized dissemination of confidential business information.

The parties are advised that the Court retains unfettered discretion whether or not to afford confidential treatment to any Confidential Document or information contained in any Confidential Document submitted to the Court in connection with any motion, application, or proceeding that may result in an order and/or decision by the Court.

The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 304, 315.

Dated: April 29, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Appendix

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